

BOARD OF EXAMINERS IN OPTOMETRY

Regular Session Minutes

**Wed. November 17, 2010
DHMH
4201 Patterson Avenue #110
9:30 a.m.**

The Regular Session meeting of the Board of Examiners in Optometry was held on Wednesday, September 22, 2010 in room #110 DHMH Metro Executive Building, 4201 Patterson Avenue, Baltimore, Maryland. Board members present were, Thomas Azman, O.D., Jo Anne Brilliant, O.D., Stephen Kwan, O.D., Phyllis M. Strickland, O.D., Kisha Fields Matthews, and Frederick J. Walsh, Ph.D., Also present were Patricia G. Bennett, Board Administrator, Kecia Dunham, Licensing Coordinator and Delia Turano Schadt, Board Counsel.

A. Opening of Meeting

Dr. Azman called the meeting to order at 9:40 a.m.

B. Minutes

The regular session minutes of July 28, 2010 were reviewed. There is a correction on page 2 under number 4 Scope of Practice to correct the spelling of "Bloch" to "Block". Dr. Brilliant moved and Kisha Fields Matthews seconded to accept the minutes as corrected. The Board's vote was unanimous.

C. Committee Reports

1. Continuing Education- Dr. Brilliant

Dr. Brilliant reported that the Board received an email from Shawn Ricker, O.D. stating the he will be attending a CE course June 27 through July, 2011 and wants to know whether he could use the hours in June toward his renewal 2013. The Board denied the request because there were no extenuating circumstances. The Board will respond to Dr. Ricker via email citing as justification, COMAR 10.28.02.05 (E). Dr. Brilliant reported that the Board received an email from Jeanne Murphy-Moore, O.D, requesting Pro Bono credit for her volunteer work in Peru performing eye exams. The Board approved her request pending receipt of the Pro Bono Credit form. The Board approved 1 hour of credit for every three hours that she worked up to the maximum of 6 hours.

2. Credentialing – Dr. Kwan

Dr. Kwan stated that there was no report

3. QEI – Dr. Brilliant

Dr. Brilliant reported that the next QEI Committee meeting is scheduled for Thursday, October 22, 2010 at 4:00 p.m. and the Committee is revising the 2003 CE Project for licensees to receive up to 6 hours toward the 2011 renewal requirements. More information will be reported at the next Board meeting.

4. Rehabilitation – Dr. Azman

Patricia Bennett reported that the DHMH website has several links to resources throughout the state of Maryland that offer treatment and rehabilitation for substance abuse as well as physical, emotional or mental conditions. Ms. Bennett will work with the Department's Information Management staff to have those links added to the Board's website. This information on the Board's site will provide licensees with specific information that they can access and participate, as needed, in treatment and rehabilitation services. The committee's goal is to empower licensees to seek services as needed without the Board's involvement.

5. Budget – Dr. Strickland

Patricia Bennett reported that the Board's Budget for FY 2011 is \$255,148.00 and the remaining balance is \$236,740.00 as of September 14, 2010. The Special Fund balance to date is \$80,073.

6. ARBO – Dr. Strickland

Dr. Strickland stated that there was no report.

7. Legislation – Pat Bennett

Ms. Bennett stated that there was no report.

D. Old Business

1. Regulations

Ms. Bennett reported that the Health Occupations Boards' new Regulations and Legislation Specialist, Kristen Neville, will attend the Board's next meeting to talk to the Board about her role in assisting the Board with drafting language for the Professional Leadership regulation that the Board has pending as well as the drafting of regulations for the Sanctioning Guidelines that were legislated for all the Boards.

2. Legislation

HB 114 – Health Occupations Boards – Revisions

It was reported that the Attorney General's Office has drafted Aggravating and Mitigating Factors in Sanctioning Guidelines for the Boards. Ms. Bennett stated that the Board's committee which consists of Drs. Strickland and Kwan and Ms. Bennett will begin the process of the development of sanctioning guidelines following the September meeting. As reference, the committee will use the Aggravating and Mitigating Factors prepared by the Attorney General's office and the Sanctioning Guidelines from the Virginia Optometry Board and the Washington State Health Boards. The Board had decided that it would continue to use the liaison system for disciplinary cases in lieu of a committee as recommended in the law.

3. Patient Bill of Rights

Dr. Walsh researched and gathered information from several sources regarding Patient Bill of Rights. The Board reviewed and discussed Dr. Walsh's resources. He and Kisha Fields Matthews will work together to draft and propose a Patient Bill of Rights for licensees to display at their practice locations for the benefit of consumers. This proposed document could also be posted on the Board's website.

E. Administrator's Report

Ms. Bennett stated that the Legislative Auditors are performing audits of the licensing Boards until the end of the year. The Optometry Board is prepared to submit any documents upon request and at the conclusion of the audit Boards will receive an audit findings report. The review period is February 2008 through August 2, 2010.

F. New Business

1. Licenses Issued 7/22/2010-11/3/2010

Ms. Bennett reported that 12 licenses were issued from July 22, 2010 to date. A motion was made by Dr. Walsh and seconded by Dr. Strickland to approve the licenses issued. The Board's vote was unanimous.

2. Board Annual Newsletter 2010

Board members received a draft template of the Board's annual newsletter and contributors were asked to submit their articles before the November Board meeting. Dr. Azman will prepare the Presidential Address; Dr. Brilliant will include information about the 2011 Continuing Education Project; Dr. Walsh will draft a proposed Patient Bill of Rights; Delia Schadt will write about requirements for licensees to have an address on record, a privacy notice for licensees and issues around supervision of unlicensed individuals. The remaining articles will be completed by Board staff. A suggestion was made to solicit information from licensees regarding awards, special projects, etc. for inclusion in future newsletters.

The Regular Session of the Board meeting was adjourned.

Respectfully submitted,

Kisha Fields Matthews
Board Secretary